

REMARKS

In the Office Action mailed August 27, 2007 (hereafter, "Office Action"), claims 1, 3-7, 9-13, 15-19, 21-25, 27-28, 30-31, 33-37, 39, 41-46 and 48 stand rejected under 35 U.S.C. § 103. Claims 26, 29, 32, 40 and 47 stand objected to. Claims 26, 29, 32, 40 and 47 have been amended.

Applicants respectfully respond to the Office Action.

I. Objection of Claims 26, 29, 32, 40 and 47

Claims 26, 29, 32, 40 and 47 stand objected to as being dependent upon a rejected base claim. Claims 26, 29, 32, 40 and 47 have been rewritten in independent form as suggested by the Office Action. (See, Office Action, page 9.) Accordingly, Applicants respectfully submit that claims 26, 29, 32, 40 and 47 are in condition for allowance.

II. Claims 1, 3-7, 9-13, 15-19, 21-24, 34-37 and 43-45 Rejected Under 35 U.S.C. § 103

Claims 1, 3-7, 9-13, 15-19, 21-24, 34-37 and 43-45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,263,202 to Kato (hereinafter, "Kato") in view of U.S. Patent No. 6,972,082 to Levine (hereinafter, "Levine"). Applicants respectfully traverse.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. ___, 2007 U.S. LEXIS 4745, at **4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). To establish a *prima facie* case of obviousness, the prior art references "must teach or suggest all the claim limitations." M.P.E.P. § 2142. Moreover, the analysis in support of an obviousness rejection "should be made explicit." KSR, 2007 U.S. LEXIS 4745, at **37. "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id. (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the subject matter in these claims.

Claim 1 recites “the voice-recognition engine is configured to interpret . . . multiple word audio-data as matching a selected one of a set of alphanumeric characters.” Kato, alone or in combination with Levine, does not teach or suggest this subject matter.

Instead Kato states:

In FIG. 2, a voice signal converted by a microphone 1201 is converted into a transmission character sequence (message information) by voice recognition section 1202 and is then input to electronic mail transmission section 1203.

Kato, col. 4, lines 55-60.

Converting a voice signal by a microphone does not teach or suggest matching multiple word audio-data to “a selected one of a set of alphanumeric characters.” In fact, Kato states that the converted voice signal “is converted into a transmission character sequence.” A character sequence does not teach a single “selected one of a set of alphanumeric characters” that is matched with “multiple word audio-data.”

Kato also states “a voice recognition section 50 that specifies the emitted voice (character sequence) by recognising [sic] a voice signal applied to microphone 40.” (Kato, col. 6, lines 44-47.) Emitted voice (i.e., character sequence) does not teach or suggest “a selected one of a set of alphanumeric characters.”

Further, Kato states:

Voice recognition section 50 recognises [sic] a voice signal that it receives and specifies the character sequence constituting the voice. Also, control section 48 analyses the recognised [sic] character sequence and analyses the structure of this character sequence, and then performs a selected conversion on the character sequence to thereby compile a converted character sequence.

Kato, col. 6, lines 53-57.

The voice signal of Kato is specified in the character sequence. However, even if the voice signal includes “multiple word audio-data” the character sequence does not teach or suggest “a selected one of a set of alphanumeric characters.” In other words, the character sequence of Kato does not teach or suggest a single alphanumeric character. For example, Kato

states that the character sequence has a “structure.” (Id.) A sequence, such as the character sequence, suggests that more than one character is included in the sequence. Further, the Office Action does not assert that Kao teaches or suggests “the voice-recognition engine is configured to interpret the single word or multiple word audio-data as matching a selected one of a set of alphanumeric characters.” Instead, the Office Action simply asserts “Kato teaches . . . the voice-recognition engine is configured to interpret the audio-data as matching a selected one of a set of alphanumeric characters.” (Office Action, page 3.)

The addition of Levine does not overcome the deficiencies of Kato. In fact, the Office Action simply points to Levine to support the assertion that “Levine . . . teaches personal assistant system equipped with voice recognition engine to interpret audio input such as audio commands and execute the commands.” (Office Action, page 3). Applicants cannot find, and the Office Action does not points to, any teaching or suggest by Levine of “the voice-recognition engine is configured to interpret . . . multiple word audio-data as matching a selected one of a set of alphanumeric characters.”

In view of the foregoing, Applicants respectfully submit that claim 1 is patentably distinct from Kato and Levine. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn because Kato, alone or in combination with Levine, does not teach or suggest all of the subject matter of claim 1.

Claims 3-6 depend either directly or indirectly from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 3-6 be withdrawn.

Claims 7, 13, 19, 34 and 43 include subject matter similar to the subject matter of claim 1 addressed above. As such, Applicants submit that claims 7, 13, 19, 34 and 43 are patentably distinct from the cited references for at least the same reasons as those presented above in connection with claim 1.

Claims 9-12 depend directly from claim 7. Accordingly, Applicants respectfully request that the rejection of claims 9-12 be withdrawn.

Claims 15-18 depend either directly or indirectly from claim 13. Accordingly, Applicants respectfully request that the rejection of claims 15-18 be withdrawn.

Claims 21-24 depend either directly or indirectly from claim 19. Accordingly, Applicants respectfully request that the rejection of claims 21-24 be withdrawn.

Claims 35-37 depend either directly or indirectly from claim 34. Accordingly, Applicants respectfully request that the rejection of claims 35-37 be withdrawn.

Claims 44 and 45 depend either directly or indirectly from claim 43. Accordingly, Applicants respectfully request that the rejection of claims 44 and 45 be withdrawn.

III. Claims 25, 27, 28, 30, 31, 33, 39, 41, 42 46 and 48 Rejected Under 35 U.S.C. § 103

Claims 25, 27, 28, 30, 31, 33, 39, 41, 42 46 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of Levine in further view of U.S. Patent No. 5,838,458 to Tsai (hereinafter, “Tsai”). Applicants respectfully traverse. The standard to establish a *prima facie* case of obviousness is provided above. See M.P.E.P. § 2142.

Claims 25 and 27 depend directly from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 25 and 27 be withdrawn.

Claims 28 and 30 depend directly from claim 13. Accordingly, Applicants respectfully request that the rejection of claims 28 and 30 be withdrawn.

Claims 31 and 33 depend directly from claim 19. Accordingly, Applicants respectfully request that the rejection of claims 31 and 33 be withdrawn.

Claims 39, 41 and 42 depend directly from claim 34. Accordingly, Applicants respectfully request that the rejection of claims 39, 41 and 42 be withdrawn.

Claims 46 and 48 depend directly from claim 43. Accordingly, Applicants respectfully request that the rejection of claims 46 and 48 be withdrawn.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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